

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE
Transcriber's Office
FLOOR DEBATE

March 11, 2003 LB 619

will end up down in Lincoln area and Omaha area. It's coming down the Loup River to supply the well fields out here. A good example of that was last summer, when the Platte River was dry west of Columbus. There was no water in it. And all the water that's coming down the Loup River was actually the water that was recharging the well fields for Lincoln here. So that's something we want to think about too. And anyway, to ship water out to do something like that, we was a little concerned, so I come up with this bill here. And it's hard to draft legislation, because of the United States Supreme Court ruling decision back in 1982 that says that our water is a commodity and it's for the public. And when you put those two things together, well, that puts the sticker on just exactly what it does, you know. But one thing I wanted to explain on my bill is the ownership of ground water is held by the state for the benefit of its citizens, that is, us Nebraskans. One of our most precious resources is water. Whether this is Ogallala Aquifer or other water, it is critical we protect this resource. Our state constitution, as well as the Nebraska Ground Water Management and Protection Act, proposes to protect our water supply. LB 619 reinforces these ideals. This is especially important now that we have entities that may want to siphon off some of the water and take it to someplace else. We shouldn't put this price on our water, because we want to protect it, and we don't want to put a price on it because we just...if we do that, it just says, well, it's for sale. So anyway, whether everyone in the state realizes it or not, agriculture is still very important, and the well being developed on the outstate on our aquifer underground supplies essential in all of our state and ever-important future in development of agriculture in this state. My bill kind of reinforces that. And it kind of mirrors our constitution with what it says. Because under the first part of it, it said the ownership of water is held by the state for the benefit of its citizens. Ground water is one of the most valuable natural resources in the state. And that is adequate supply of ground water is essential for the general welfare of the citizens. So I think that's important, to think of the public interest when we're talking about this. But that last part of the bill, it also brings out the fact that every landowner shall be entitled for a reasonable benefit of the use of the water underground his own ground. But if you drill a